

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
CLERKS OFFICE
CASE NO. 04-11539-JLT

2001 MAY 29 P 2:04
U.S. DISTRICT COURT
DISTRICT OF MASS.

WALTER STICKLE, ANTHONY)
CALIENDO, JOHN PITINGOLO and)
DANIEL FISHER,)
Plaintiffs)
)
)
)
v.)
)
ARTHUR ORFANOS,)
Defendant)
)

**DEFENDANT'S RESPONSE AND OPPOSITION TO
PLAINTIFFS' CROSS MOTION TO HOLD DEFENDANT IN CONTEMPT OF
COURT AND REQUEST FOR AN ORDER PRECLUDING FURTHER FILINGS
AND IMPOSITION OF PENALTY**

NOW COMES the Defendant in the above-captioned matter and respectfully
Opposes the Plaintiff's cross motion to hold the Defendant in contempt of court and
request for an order precluding further filings and an imposition of penalty. In support of
this motion the Defendant respectfully states the following;

FACTS

1. Defendant was sued by the Plaintiffs on July 9, 2004 for alleged
Trademark infringement. Defendant never received notice of hearing and was defaulted
by the court on or about February 9, 2006.

2. On December 11, 2006 a hearing was held on Plaintiff's motions for Attorney's fees, plaintiffs' motion was granted in the amount of \$32,270. On January 30, 2007, a debtor's exam was conducted.

3. On or about February 15, 2007 finding that I was ordered to pay \$200.00 per month; this was based upon me receiving income of \$521.00 from unemployment. Since about May 5, 2007 my unemployment has stopped, as of this writing, I am still unemployed and we are living off my wife's income. The best I can do at this time is \$25.00 per month.

4. I spoke to Attorney Newman with regard to making payments; I explained that I can not afford to pay \$200.00 per month, and that there was a likelihood that I would have to file for bankruptcy. I also told him that I would try to borrow monies in order to make some sort of settlement offer, which at this time I am unable to borrow.

5. On April 13, 2007, I spoke with Attorney William Hunt in an attempt to make some sort of resolution or to make payments, he stating that I should "go get the money" "Your father doesn't want partners", "Your father doesn't want to be partners with someone he doesn't know" "Tony and Walter will be partners" "We'll drag your father into this", "you don't want us to drag your father into it", "It's easy to raise \$30,000 or \$40,000" "Get the money; I'll release you from this".

6. During that conversation, I told Attorney Hunt that I was not able to raise that kind of money, he told me to get the money from my father, let him [my father] take it out on my hide". I explained that I did not have a job or able to afford and that I would have to file a motion to the court for a motion to modify payments, I also told him that I

was considering filing a motion for Rule 60 because I did not receive a notice to attend the February 9, 2005 conference hearing.

7. Attorney Hunt told me that if I filed motions for rule 60, he'd drag me into court, and sue me for \$5,000.00 and that he "was golden" and would win "hands down", "it's in his pocket".

8. The Plaintiffs have now presented before this Honorable Court false and misleading testimony in their cross motion for contempt in attempts deceive the court and to punish me unjustly., ¶ 3 of the Plaintiffs' cross motion for contempt "Defendant has a history of disregarding judicial orders by this court", is a complete falsehood, there is no history of any kind that I have disregarding judicial orders of the court, the Plaintiffs' have presented no evidence to substantiate or support this.

9. Plaintiffs' cross motion ¶ 3 "previously been held in Contempt " , granted by The Honorable Judge Joseph L. Tauro on February 9, 2004,is purely a fabrication in a malicious attempt to sway the opinion of the court. There was no motion filed on or about February 9, 2004 THIS LAWSUIT DID NOT EXIST AT THAT TIME.

10. There is a history of the Plaintiff's acts of bad faith and pattern of behavior throughout the course of this litigation in their efforts to inflict further harm upon me (Please see attached as exhibit A, copy of February 2005 Police report and Affidavit of Steven Orfanos for threats made), (Please see attached as exhibit B. Plaintiff's email falsely accusing the Defendant of extortion and blackmail), (Please see attached as exhibit C, copies of published statements made solely for the purpose of causing to inflict harm to the Defendant)

11. The Plaintiffs' have also previously attempted to prevent me from submitting documents and/or motions with the court, in order to defend myself, which I believe I have the right to do, the Plaintiff's unreasonable requests for such, should not be considered or allowed.

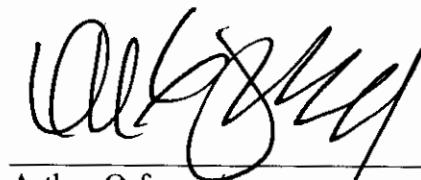
12. The Plaintiff's and their attorney should be sanctioned and/or penalized
For purposefully, submitting such false and misleading statements, to this Honorable Court without regard for the truth

WHEREFORE, the Defendant respectfully requests a prayer that this Honorable Court

1. Dismiss and Deny the Plaintiffs' cross motion to hold Defendant in contempt of court and renewed request for an order precluding further filings and imposition of penalty and
2. Impose sanctions and penalties of whatever this Honorable court deems proper, against the Plaintiff's and attorney for submitting false and misleading testimony.

Dated May 25, 2007

respectfully submitted,
Arthur Orfanos / pro se



Arthur Orfanos / pro se
54 Egerton Rd
Arlington MA, 02474
781 646 4623

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CASE NO. 04-11539-JLT

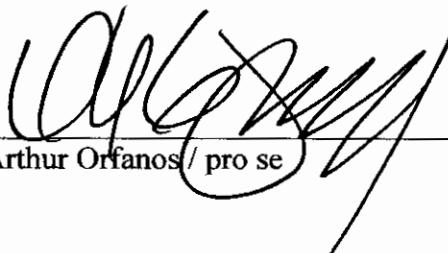
WALTER STICKLE, ANTHONY)
CALIENDO, JOHN PITINGOLO and)
DANIEL FISHER,)
Plaintiffs)
)
)
)
v.)
)
ARTHUR ORFANOS,)
Defendant)
)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the within Defendant's answer and opposition to Plaintiff's cross motion to hold Defendant in contempt of court and request for an order precluding further filings and imposition of penalty, and Memorandum in Support of, was this day served upon Plaintiffs by mailing same first class Postage prepaid to: Young B. Han, Attorney of Plaintiff, of Clark, Hunt and Embry, 55 Cambridge Parkway, Cambridge MA, 02141.

SIGNED under the pains and penalties of perjury

Dated May 25, 2007



Arthur Orfanos / pro se
5.